

01-28-01

A



## IANDIORIO & TESKA

Joseph S. Iandiorio  
Kirk Teska

260 BEAR HILL ROAD  
WALTHAM, MA 02451-1018

[WWW.IANDIORIO.COM](http://WWW.IANDIORIO.COM)

Voice (781) 890-5678 Fax (781) 890-1150

Jason D. Shanske  
Bruce E. Kameron

Roy J. Coleman \*  
\* Legal Intern



January 26, 2001

Box Patent Application  
Assistant Commissioner of Patents  
Washington, DC 20231

SUBJECT: FLAW DETECTION SYSTEM USING ACOUSTIC DOPPLER EFFECT MIT-116J

Dear Sir:

This is a request for filing a [ ] continuation, [X] divisional application under 37 CFR 1.60, of pending prior application serial no. **09/028,536**, filed on **February 24, 1998**, by **Shi-Chang Wooh** for **FLAW DETECTION SYSTEM USING ACOUSTIC DOPPLER EFFECT**. The Examiner of the prior application is **Moller, R.**, in Art Unit 2856.

- 1.[X] Enclosed is a complete copy of the prior application including the oath or declaration as originally filed and an affidavit or declaration verifying it is a true copy. (See 8 and 9 for drawing requirements.)
- 2.[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 [ ] is enclosed [ ] was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
- 3.[X] The filing fee is calculated below.

### FILING FEE CALCULATION

|                                      | <u>Rate</u> | <u>Fee</u> |
|--------------------------------------|-------------|------------|
| Basic Fee                            |             | \$710.00   |
| Total claims in excess of 20: 0      | x 18.00     | \$ .00     |
| Independent claims in excess of 3: 0 | x 80.00     | \$ .00     |
| Multiple dependent claims: 0         | x 135.00    |            |
| Total Filing Fee:                    |             | \$710.00   |

- 4.[X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Account No. 09-0002. A duplicate copy of this sheet is enclosed.
- 5.[X] A check in the amount of \$710.00 is enclosed.

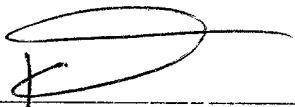
- 6.[X] Cancel in this application original claims 2-4, 7-16, 18 and 20 of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)
- 7.[X] Amend the specification by inserting before the first line the sentence: --This is a [ ]continuation, [X]division, of application serial no. 09/028,536. filed February 24, 1998.--
- 8.[ ] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Section 1.138 and before payment of issue fee.)
- 9.[X] New formal drawings enclosed.
- 10.[ ] Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 USC 119.
- [ ] The certified copy has been filed in prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- 11.[X] The prior application is assigned of record to **Massachusetts Institute of Technology**.
- 12.[X] The power of attorney in the prior application is to **Joseph S. Iandiorio and Kirk Teska, Iandiorio & Teska, 260 Bear Hill Road, Waltham, MA 02154**.
- a.[X] The power appears in the original papers in the prior application.
- b.[ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.[X] Address all future communications to:
- Iandiorio & Teska  
260 Bear Hill Road  
Waltham, MA 02451-1018  
(781) 890-5678
- 13.[X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- 14.[X] I hereby verify that the attached papers are a true copy of prior application serial no. 09/028,536 filed on February 24, 1998.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made non information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements an the like so made are punishable by fine or

Assistant Commissioner of Patents  
January 26, 2001  
Page 3

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/26/01


  
\_\_\_\_\_  
Signature  
Type name: Kirk Teska  
Reg. No. 36,291

Iandiorio & Teska  
260 Bear Hill Road  
Waltham, MA 02451-1018

☐ [ ] Inventor(s)  
☐ [ ] Assignee of complete  
☒ [X] Attorney or agent of record  
☐ [ ] Filed under Sec. 1.34(A)

CERTIFICATE OF EXPRESS MAIL

I hereby certify that the attached correspondence is being deposited with the United States Postal Service, Express Mail Certificate No. EL589446095US, on this 26 day of January, 2001 in an envelope addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231.

  
\_\_\_\_\_  
Leslie Ruano

FOR POSTAL SERVICE